IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

TUESDAY, THE NINETEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR. BILAL NAZKI,

THE ACTING CHIEF JUSTICE

and
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT APPEAL NO : 782 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 23/03/2005 in WP NO : 7984 OF 2003 on the file of the High Court.)

Between:

The Gram Panchayat, rep. by its Village Secretary, (Panchayat Secretary), Madakasira, Anantapur Dsitrict.

..... APPELLANT

AND

1 L.Imthiaz, S/o. L. Lateef Sab,
R/o. Aryapet, madakasira, Anantapur District.
2 B. Sivappa, S/o. Late B. Narsappa,
R/o. New Road, Madakasira, Anantapur District,

(L.R. of the deceased Late B. Narsappa as per Court

Order, dt. 29.12.2004)
3 Ayaz, S/o. dLate Kareem Sab,

R/o. Aryapet, Madakasira, Anantapur District.

4 t. Rahamtulla, s/o. Adem Sab,
R/o. Pavagada Road, Markasira, Anantapur District.

5 B. Narayanappa, S/o. Bhutaayya,
Near Madhugiri Cross, Madakasira, Anantapur

District.

6 The Mandal Revenue Officer, Madakasira,

Anantapur District.

.....RESPONDENTS

Counsel for the Appellant:MR.P.RAGHAVENDRA REDDY

Counsel for the Respondents : MR.R.V.SUBBA RAO Advocate & G.P. for Revenue.

The Court made the following :

JUDGMENT (Per Hon'ble the Acting Chief Justice)

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Heard the learned counsel for the parties.

2. This writ appeal has been filed challenging the order passed by the learned single Judge in W.P.No.7984/2003. The operative portion of the order of the learned single Judge reads as under:

> ". . . I deem it appropriate to dispose of the writ petition granting leave and liberty to the petitioners to make appropriate applications before the competent authority seeking assignment of the lands in their occupation. If any such applications are made within a period of four weeks from today, the same shall be considered and appropriate orders be passed in accordance with law by the competent authority. Till such orders are passed, the respondents are directed not to interfere with the possession of the petitioners in respect of the bunks in question situated in Sy.No.414 of Madakasira village."

3. The grievance of the appellant is that Gram Panchayat has an interest in the matter and without hearing them, the competent authority may pass orders detrimental to the Gram Panchayat.

4. In this view of the matter, we modify the order of learned single Judge to the effect that while hearing the writ petitioners in the applications they make, 6th respondent may also give a notice to the

Gram Panchayat and hear their point of view before passing orders in accordance with law.

5. The writ appeal is accordingly disposed of. No costs.

BILAL NAZKI, HACJ

DR.G.YETHIRAJULU,J

AVS

DATE:19-04-2005

.....REGISTRAR

To

1. L.Imthiaz, S/o. L. Lateef Sab,
R/o. Aryapet, madakasira, Anantapur District.
2 B. Sivappa, S/o. Late B. Narsappa,
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Anantapur District.

7. 2 CCs to G.P. for Revenue, High Court of A.P., Hyderabad (OUT).

7. 2 CD copies

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